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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 02/10/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application <u>09/613615</u>	Applicant(s) <u>Neofide</u>	
	Examiner <u>Alan G</u>	Art Unit <u>3624</u>	Confirmation No.

- The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address -

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- ☒ Responsive to communication(s) filed on 1/13/03
- ☒ This action is **FINAL**. ☐ This action is non-final.
- ☐ Since this application is in condition for allowance except for the formal matters, prosecution as to the merits is closed accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- ☒ Claim(s) 30-37, 39-51 is/are pending in this application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 30-37, 39-51 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved or ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are ☐ accepted or ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) or (f).
- ☐ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received:
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- ☐ The translation of the foreign language provisional application has been received.
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 17
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is issued in response to applicant's Amendment C(Paper #16) filed 1/13/03.
2. Claims 69-78 were cancelled. Independent claim 30 was amended. No claims were added.
3. Claims 30-37, 39-51 are pending.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Amended claims 30-37 and 39,46-51 are rejected under 35 USC 103(a) as unpatentable over Lamm(US Pat. No: 6,078,907) in view of Jalili(US Pat. No: 6,088,683) in view of Kausik(US Pat. No: 6,263,446) and further in view of Payne(US Pat. No: 5,909,492).

Lamm discloses a computer-implemented method for providing a computer network money request service, which includes maintaining an e-mail address database(EPO server 16)(Fig 1)(col 5 line 10 et. seq)(col 6 line 53 et seq)(col 7 line 14 et seq)(col 9 line 62 et seq)(col 11 line 17 et seq)(col 15 line 30 et seq)(col 15 line 63 et seq)(col 16 lines 19-48). Lamm also teaches receiving an e-mail address of an individual payor from a payee(col 8 line 56 et seq)(col 9 line 58 et seq)(col 11 line 17 et seq) as well as sending an e-mail to the payor(Fig 5)(col 11 line 58 et

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seq)(col 12 line 8 et seq)(col 14 line 40 et seq) as well as receiving authorization and completing payment(col 15 line 10 et seq)(col 15 line 30 et seq).Lamm further teaches wherein the payment amount is withdrawn from an identified source(Fig 5/126/122/124).

Additionally, Lamm discloses first and second intermediary banks and transfer methods(col 16 line 33 et seq) and default money receipt selection method(col 4 line 23 et seq) as well as notifying the payee of payment(col 16 line 19 et seq) and initiating money transfer and crediting a stored value account(col 16 line 48 et seq) as well as receiving future payment dates to transfer money(col 9 line 40 et seq)(col 15 line 10 et seq)(col 15 line 45 et seq) and online history transaction statements(col 16 line 5 et seq). Lamm further teaches an e-mail link to a web page to authorize payment(col 15 line 30 et seq)(col 8 line 64 et seq)(col 11 line 30) as well as including individual message/subject line in e-mail(col 11 line 30 et seq)(col 12 line 55 et seq)(col 13 line 15 et seq). Lamm teaches a funds source identifier supporting payment(col 4 line 25) and include a hyperlink to a web site maintained by the server(Fig 4/28).Lamm does not disclose a method for transferring funds through a network between a first party registered with the computer server of the network and a second party not previously registered with the computer server.Jalili teaches this(Abstract)(col 1 lines 22-45)(col 1 lines 59-col 2 line 48).Jalili further discloses the use of an alternative registration name and an e-mail address(col 2 line8-14).Lamm does not disclose registration of individuals whose e-mail addresses do not exist in the database. Payne discloses a computer implemented method for providing a computer network money request service including identification of individuals by network addresses(Fig 2A-2I)(col 5 line 26 et

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seq) and sending a registration message to unregistered individuals to register and authorize payment(col 5 line 57)(col 6 line 9) and web page link(col 6 line 15 et seq) to register and complete payment. Providing for new account registration facilitates money request service and payment transactions by registering new individuals during payment processing(col 6 line 15 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide for new account registration as taught by Payne on the method of Lamm to permit payors and payees to open new accounts.Kausik discloses a roaming user not registered with a computer obtaining authorization to perform a transaction on an on-demand basis(Absttract)(col 2 lines 10-54)(Fig 1)(col 3 line 21-col 4 line 63).It would have been obvious to one skilled in the art at the time of the invention to combine Lamm in view of Jalili to teach part of the above. The motivation to combine is to teach a system for a user to interact with a third party to be utilized for a transaction without a second party having the customer's credit card number as enunciated by Jalili(col 1 lines 35-40).Also it would have been obvious to one skilled in the art at the time of the invention to combine Lamm in view of Jalili and further in view of Kausik to teach the above. The motivation to combine is to teach an on-line on demand delivery system of authentication credentials to roaming users as enuciated by Kausik(col 2 lines 10-12). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lamm in view of Jalili in view of Kausik and further in view of Payne to provide for new account registration as taught by Payne on the method of Lamm to permit payors and payees to open new accounts.

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6. Claims 40-42 are rejected under 35 USC 103(a) as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Wolff(US Pat. No: 6,247,047) in view of Jalili(US Pat. No: 6,088,683) in view of Kausik(US Pat. No: 6,263,446) and further in view of Payne(US Pat. No: 5,909,492)..

Lamm discloses a computer-implemented method for providing a computer network money request service, including first and secondary intermediary banks and payment transfer methods(col 16 line 33 et seq) as discussed. To the extent that Lamm does not disclose payment authorization by a second individual (via ATM or private payment network)(col 16 line 44 et seq), Wolff discloses a computer implemented method for providing a computer network including an e-mail database(col 6 line 53 et seq)(col 7 line 7 et seq)(col 11 line 40 et seq) and receiving an e-mail address from a first individual and searching the e-mail database(col 11 line 25) and notifying the second individual by e-mail to receive authorization to receive payment(Figs 1-4)(col 11 line 4- et seq)(col 12 line 10 et seq). E-mail notification provides an improved means to facilitate computer network transactions by permitting individuals to control receipt of payment(col 4 line 34)(col 11 line 40)(col 12 line 10) among various payment methods(lamm/col 16 line 33). It would have been obvious to one skilled in the art at the time of the invention to provide a means for a second individual to authorize payments and thereby control transfer of money to various accounts as taught by Wolff on the method of Lamm to facilitate commerce on computer networks among individuals and payment methods.Also it would have been obvious to one skilled in the art at the time of the invention to combine Lamm

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in view of Jalili and further in view of Kausik to teach the above. The motivation to combine is to teach an on-line on demand delivery system of authentication credentials to roaming users as enuciated by Kausik(col 2 lines 10-12).Also it would have been obvious to one skilled in the art at the time of the invention to combine Lamm in view of Jalili in view of Wolff in view of Kausik and further in view of Payne to teach the above. The motivation to combine is to teach an on-line on demand delivery system of authentication credentials to roaming users as enuciated by Kausik(col 2 lines 10-12). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lamm in view of Wolff in view of Jalili in view of Kausik and further in view of Payne to provide for new account registration as taught by Payne on the method of Lamm to permit payors and payees to open new accounts.

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7. Claims 43-45 are rejected under 35 USC 103(a) as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Dorf(US Pat. No: 6,189,787) in view of Jalili(US Pat. No: 6,088,683) in view of Kausik(US Pat. No: 6,263,446) and further in view of Payne(US Pat. No: 5,909,492).

Lamm discloses a computer-implemented method for providing a network money request service including payment through an intermediary bank. Lamm does not disclose a point of sale transaction with a debit card. Dorf discloses a method for providing a computer network money request service including a debit card(Fig 1) and point of sale terminal for debiting a stored value account to pay a merchant through an intermediary bank(Fig 1)(Fig 2)(col 1 line 15)(col 3 line 15)(col 11 line 5). Debit and multi-use cards facilitate commerce in point of sale transactions by

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providing a means to transfer value to a merchant in exchange for goods and services(col 1 line 8 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a debit card as taught by Dorf on the method of Lamm to facilitate point of sale transactions.Lamm does not disclose registration of individuals whose e-mail addresses do not exist in the database. Payne discloses a computer implemented method for providing a computer network money request service including identification of individuals by network addresses(Fig 2A-2I)(col 5 line 26 et seq) and sending a registration message to unregistered individuals to register and authoprize payment(col 5 line 57)(col 6 line 9) and web page link(col 6 line 15 et seq) to register and complete payment. Providing for new account registration facilitates money request service and payment transactions by registering new individuals during payment processing(col 6 line 15 et seq).Also it would have been obvious to one skilled in the art at the time of the invention to combine Lamm in view of Jalili and further in view of Kausik to teach the above. The motivation to combine is to teach an on-line on demand delivery system of authentication credentials to roaming users as enuciated by Kausik(col 2 lines 10-12). It also would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lamm in view of Dorf in view of Jalili in view of Kausik and further in view of Payne to provide for new account registration as taught by Payne on the method of Lamm to permit payors and payees to open new accounts.

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***Response to Arguments***

8. Applicant's arguments filed 1/13/03 have been fully considered but they are not persuasive. Applicant's arguments are substantially answered by the citations above in the references indicated.

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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10. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

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The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 2100 or this Art Unit is (703)-308-6296 or 6306. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-305-3900.

GRA

  
February 10, 2003